

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

| | | |
|---------------------|---|--------------------------------|
| KARL RUDOLPH LENTZ, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | CIVIL ACTION NO. 2:07cv641-WHA |
| |) | |
| STATE OF ALABAMA, |) | |
| |) | |
| Defendant. |) | |

ORDER

This case is before the court on the Recommendation of the Magistrate Judge (Doc. #4), filed on August 6, 2007, and the Objection of the Plaintiff (Doc. #5), filed on August 17, 2007.

The court finds the Plaintiff's objection to be without merit, and it is hereby overruled. The Complaint filed in this case names only the State of Alabama as a Defendant, and the State of Alabama is immune from suit. The court adopts the Recommendation of the Magistrate Judge, and it is hereby

ORDERED that this case is DISMISSED without prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(i and iii).

DONE this 29th day of August, 2007.

/s/ W. Harold Albritton
W. HAROLD ALBRITTON
SENIOR UNITED STATES DISTRICT JUDGE